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ABSTRACT

One of a series of practitioner-oriented newsletters, the document provides elementary school principals with information about school discipline and Public Law 94-142 (The Education for All Handicapped Children Act and Section 504 of the Rehabilitation Act of 1973). Focusing on the impact of this law on general education classroom teachers and administrators, the article discusses the management and discipline challenges associated with the mainstreaming of handicapped students. In addition to giving handicapped students the same access to educational opportunity as nonhandicapped students, educators are encouraged to provide uniform standards of discipline for both. In the final section, administrators are urged to create a stable environment in which effective classroom management is equally established for all students. (LH)

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SCHOOL DISCIPLINE AND PUBLIC LAW 94-142

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Reston, Virginia

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School Discipline and Public Law 94-142

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Two federal laws passed within the last ten years—Public Law 94-142, the Education for All Handicapped Children Act, and Section 504 of the Rehabilitation Act of 1973—have had a profound effect on handicapped children, on the schools these children attend, and on teachers and administrators who work with them.

This issue of *Here's How* is concerned with the impact on the latter group—general education classroom teachers and administrators. More particularly the focus is on the PL 94-142 mandate that schools educate handicapped children in the "least restrictive environment," and the implications of that requirement on maintaining classroom discipline, with regard to both handicapped children themselves and their nonhandicapped classmates.

The Challenges of Mainstreaming

Surveys of special education experts have shown that providing handicapped children access to regular classrooms for at least part of the school day—often referred to as "mainstreaming"—pays both academic and social dividends. It also confronts general education teachers and administrators with classroom management and discipline challenges for which most have had little training or experience.

More generally, educators dealing with special needs students for the first time may feel that the presence of these youngsters must inevitably mean a softening not only of disciplinary requirements but of their overall approach to teaching and learning.

In short, the idea insidiously takes hold that "handicapped" essentially equates with "inferior" or "inept," that children with special needs are incapable of keeping pace, and that such children must be treated with kid gloves—especially as regards discipline. And yet that is exactly the opposite of what the framers of these laws had in mind.

Edwin W. Martin, Jr., Assistant Secretary for Special Education and Rehabilitative Services in the U.S. Department of Education during the Carter administration, was a principal architect of PL 94-142. Currently President of the Human Resources Center at the National Center on Employment of the Handicapped in Albertson, New York, Dr. Martin says most emphatically that the intent of the law was to provide handicapped students with the same opportunities that had always been available to the nonhandicapped.

"The goal of the Education for All Handicapped Children Act was to have disabled people live with nondisabled people—and for society to give them a real chance to do that," he said. What handicapped students have a right to expect, he noted, is the same fairness, firmness, and compassion that would be given to any other student.

Even the most extreme aspects of school discipline—suspensions and expulsions—are allowable under PL 94-142, as long as all appropriate procedures are followed. In the event that a student must be removed from the classroom, the law requires that appropriate special education for that child still be provided. What is not allowable, Dr. Martin noted, is that the child be denied access to educational opportunity.

Uniform Standards for All

Thus when Section 504 of the Rehabilitation Act of 1973 made it illegal for schools receiving federal money to discriminate against handicapped persons, the idea was not to give such people special rights. The idea was to give them the same rights given the nonhandicapped—including the right to learn that when you transgress you have to pay a penalty.

The essential goal is fairness, a proposition that must be measured against a background of tradition—in the United States and around the world—that in most cases had banned handicapped children from public schools altogether. Section 504 and PL 94-142 sought to correct what the Congress perceived as a clear and long-standing denial to handicapped persons of their rights as Americans to "a free appropriate public education."

In theory this sounds fair and reasonable, but in practice disruptions do occur. The law does not by any means require that these disruptions be ignored. Nor for that matter does it require that every handicapped child be placed in a regular classroom. What *is* required is recognition of handicapped children's right to be in the school setting that is best for them and that allows them to have a fulfilling school experience.

Consider the Case of Alison . . .

Alison is a pretty eleven-year-old with long brown hair that her mother carefully braids each morning before she leaves for a nearby elementary school.

Although she spends part of each morning with her special education teacher, Ali spends most of the day in a regular fifth-grade classroom.

The school provides a classroom aide who uses sign language for Ali's benefit, because Ali has been diagnosed as being hearing impaired. She is also mildly mentally retarded.

Ali regularly plays with her classmates each day after lunch. One day when Ali was playing kickball with a large group of children, she kicked the ball and was tagged "out." Ali stormed away, either ignoring or not hearing the teacher on duty who called out to her.

Back in the classroom, Ali slapped another child who happened to be in her path. In accordance with established procedure, Ali's teacher escorted her to a desk-chair apart from the other children and Ali's aide carefully explained in sign language that this kind of behavior would not be tolerated. She was being given a "time out" to calm down.

However, as soon as the teacher started the math lesson, Ali threw papers and books off the desk and tore a poster off the wall. Again in accordance with established procedure, the aide escorted Ali to the principal's office, where the principal told her in a friendly but firm manner that any further misbehavior would be taken up with her parents and could have serious consequences. (The procedure called for a parent-school conference in the event that Ali continued to be a problem, but the situation was resolved without getting to that stage.)

An important aspect of disruptions such as Ali's is the impact of her behavior on others. Classmates of mainstreamed children should be prepared for the arrival of such children and must be helped to understand that handicapped and nonhandicapped children are far more alike than they are different—in their capacity to succeed as well as fail, and to be a pain as well as a pleasure.

In the area of discipline and in classroom behavior generally, the climate of the classroom will be far more benign if students as well as the teacher understand what being handicapped means and how handicapped children feel about themselves—how much they want to be treated "just like other kids." Even when it comes to discipline.

One effective approach to promoting understanding is represented by a film developed with funds provided by the U.S. Department of Education and marketed by Scholastic, Inc., in Englewood Cliffs, New Jersey. The film

focuses on six handicapped children who describe their handicaps in their own language and give straightforward accounts of what it's like to be visually impaired, hearing impaired, physically handicapped, or mentally retarded, or how it feels to have epilepsy or a learning disability.

These showings can be followed by such activities as creative writing exercises, question and answer sessions, discussions, take-home activities, and visits by handicapped persons. A typical exercise is for the children to put on blindfolds and try to walk or eat lunch or negotiate the hallways, and thereby get a feeling for those who do so without seeing.

A basic goal of this and other similar programs—the Special Education section of your State Department of Education would be a good place to inquire about possibilities—is to convey an appreciation of the strengths of handicapped persons, to demonstrate how much they can accomplish, and above all to help students discover that their handicapped classmates aren't really so very different after all.

What all this means for classroom discipline is that the climate of the classroom is greatly enhanced when students learn to know and get along well with one another. What the nonhandicaped students ultimately learn is that the kind of help their handicapped friends need is not guidance along a hallway or a push up a wheelchair ramp (though that may at times be important, too), but acceptance on one's own merits.

The same principle applies when the handicapped person flaunts the rules. He or she deserves to be treated as a fellow human being, as susceptible to foolishness and frustration as anyone else, and held to account.

The development of such an attitude—not just among students but by teachers and principal—is much easier said than done. It takes time and experience.

Meanwhile the over 4 million handicapped children in the nation's public schools present a demanding and delicate challenge. It is of course basic to have in place a school discipline program, and it is equally basic to apply that program to all students equitably.

Still, given the uneasiness that many nonhandicapped people feel in dealing with disabled children, plus the fact that such children may very well have problems that need special professional care, most principals cannot escape a degree of uncertainty as to how to proceed.

An approach recently adopted by some schools is that of establishing one or more crisis resource teachers.

Ann Bush, who holds such a position with the public schools in Fairfax County, Virginia, says she begins by doing what all good principals do—except that she has more time to do it.

"I go into the classroom and observe for myself," she said. Among other things, she considers the teachers' expectations for the students, whether high standards are set and enforced, whether explanations of rules and standards are clearly stated and comprehended. And she takes special interest in whether the children understand that there are consequences for misbehavior.

"If I see a problem," she said, "I work with the child myself and act as a listener. Sometimes the schoolwork is too difficult, or sometimes it's too easy. Either could be a source of frustration and the disturbances that characteristically result." She added: "Discipline problems arise chiefly from two sources—when children do not understand the expectations set for them, and when they do not understand the consequences of misbehaving. I consider I have been successful when I have explained the kind of behavior that is expected and the child behaves appropriately whether I'm there or not."

In the case of an outburst such as Ali's, Ms. Bush said, a hearing impairment is such a serious affliction that frustration and rage at being different is to be expected from time to time. What Ali and other such children must learn, for their own long-term benefit, is control. The role of the crisis resource teacher would have been to sit down with the child, comfort her, go over the rules and expectations in a careful and loving manner—and thereafter check regularly with Ali to make sure that she becomes increasingly successful in dealing with her handicap.

A Controlled Environment

She should not be expected, however, to carry the burden alone. It is incumbent on the principal and the staff to establish a stable environment. The idea of control works both ways—on the part of the student, in displaying appropriate classroom behavior, and on the part of the school in establishing effective classroom management.

Al Migliara, principal of Floris Elementary School in Herndon, Virginia, which has 70 learning disabled children in addition to a regular school population, says that teachers and administrators "need to control the situation and not just react to behavior problems."

This is true for all children, Dr. Migliara said, but it is especially true for handicapped children.

For example, he said, open classrooms, with their increased noise levels and more numerous sources of stimulation, are often difficult for handicapped children, adding: "It is the principal's responsibility to make sure that children are placed in a situation that is best adapted to their needs and limitations, and once the placement has been made, that classroom procedures are clearly communicated to each child in the class—handicapped and nonhandicapped alike."

Ideally, he adds, the school's teachers should have received training in the basics of school counseling, since that is what more and more teachers are being called on to do. (He would in fact recommend that such training be a requirement in general teacher preparation courses.)

Similarly, Dr. Migliara says, "Principals should not be placed in schools offering special education programs unless they have backgrounds in special education." All staff members should be prepared to deal with students who are different in one way or another and should feel confident of their ability to succeed.

Handicapped children no less than other children, he added, deserve to be educated by staffs and administrators specifically trained to meet the particular challenges these youngsters present.

One of these challenges is that of assuring that proper classroom behavior is maintained by all students. The law in effect requires such treatment, and the children merit it as a normal part of growing up.

Moreover, by assuring a positive learning environment for special children, the schools will be teaching proper disciplined behavior to *all* students.

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